

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) A transmitter for transmitting video data and/or audio data to a receiver, the transmitter comprising:

a reception means for~~unit~~ receiving, from the receiver, reception data containing information indicative of a communication condition detected at the receiver, wherein the communication condition is a detected signal strength or a detected channel interference; and

a transmission rate setting means for~~unit~~ setting a transmission rate of the video data and/or audio data to be transmitted, according to the reception data~~wherein~~:

the video data and/or audio data to be transmitted has a plurality of content types, and

the transmission rate setting unit sets the transmission rate of the video data and/or audio data to be transmitted, according to the reception data and according to each of the content types.

2. (Canceled)

3. (Currently Amended) The transmitter according to Claim 1~~Claim 2~~, wherein the transmission rate setting ~~means~~unit sets a bit rate and/or a maximum number of times of retransmission for each of the content types.

4. (Currently Amended) The transmitter according to Claim 1~~Claim 2~~, comprising a content identification ~~means for~~unit identifying the content type of the video data and/or audio data to be transmitted.

5. (Currently Amended) The A transmitter according to Claim 4 for transmitting video data and/or audio data to a receiver, the transmitter comprising:

a reception unit receiving, from the receiver, reception data containing information indicative of a communication condition detected at the receiver;

a transmission rate setting unit setting a transmission rate of the video data and/or audio data to be transmitted, according to the reception data, wherein:

the video data and/or audio data to be transmitted has a plurality of content types, and

the transmission rate setting unit sets the transmission rate of the video data and/or audio data to be transmitted, according to each of the content types; and

a content identification unit identifying the content type of the video data and/or audio data to be transmitted, wherein the content identification means-unit identifies the content type of the video data and/or audio data to be transmitted, according to program-related information such as EPG (Electrical Program Guide).

6. (Currently Amended) A The-transmitter according to Claim 4 for transmitting video data and/or audio data to a receiver, the transmitter comprising:

a reception unit receiving, from the receiver, reception data containing information indicative of a communication condition detected at the receiver;

a transmission rate setting unit setting a transmission rate of the video data and/or audio data to be transmitted, according to the reception data, wherein:

the video data and/or audio data to be transmitted has a plurality of content types, and

the transmission rate setting unit sets the transmission rate of the video data and/or audio data to be transmitted, according to each of the content types; and  
a content identification unit identifying the content type of the video data and/or audio data to be transmitted, wherein the content identification ~~means-unit~~ identifies the content type of the video data and/or audio data to be transmitted, according to information on an intra-frame frequency component of the video data and an inter-frame degree of change of the video data.

7. (Previously Presented) The transmitter according to Claim 1, wherein the video data and/or audio data is transmitted according to a spread spectrum wireless method.

8. (Currently Amended) The transmitter according to Claim 1, wherein the video data and/or audio data is transmitted by ~~means of~~ a wireless LAN or a low-power short-range two-way wireless communications technology such as Bluetooth or UWB (Ultra Wide Band).

9. (Previously Presented) The transmitter according to Claim 1, wherein the video data and/or audio data is transmitted in a form of an MPEG stream encoded in conformity with an MPEG encoding method.

10. (Previously Presented) The transmitter according to Claim 1, wherein the video data and/or audio data is inputted from a broadcast receiving tuner.

11. (Withdrawn) A receiver for receiving video data and/or audio data from a transmitter, the receiver comprising:

communication condition detection means for detecting a communication condition; and  
transmission means for transmitting, to the transmitter, transmission data containing information indicative of the communication condition detected by the communication condition detection means.

12. (Withdrawn) The receiver according to Claim 11, wherein the communication condition detection means detects the communication condition according to at least one of (i) an electric field intensity of a received radio wave, (ii) an error rate, and (iii) a number of times of retransmission request made based on the error rate.

13. (Withdrawn) The receiver according to Claim 11, wherein the communication condition detection means detects the communication condition with the transmitter, with which a communications link is established.

14. (Withdrawn) The receiver according to Claim 11, comprising a display device for displaying a video signal according to the received video data.

15. (Currently Amended) A wireless system comprising:

the transmitter according to Claim 1; and

the receiver according to Claim 1.

16. (Currently Amended) A transmitter control method for controlling a transmitter which transmits video data and/or audio data to a receiver, the method comprising the steps of:

receiving, from the receiver, reception data containing information indicative of a communication condition detected at the receiver, wherein the communication condition is a detected signal strength or a detected channel interference; and

setting a transmission rate of the video data and/or audio data to be transmitted, ~~according to the reception data~~ wherein:

the video data and/or audio data to be transmitted has a plurality of content types; and  
setting the transmission rate of the video data and/or audio data to be transmitted, according to the reception data and according to each of the content types.

17. (Withdrawn) A method for controlling a receiver which receives video data and/or audio data from a transmitter, the method comprising the steps of:

detecting a communication condition; and

transmitting, to the transmitter, transmission data containing information indicative of the communication condition thus detected.

18. (Currently Amended) A transmitter for transmitting, to a receiver, video data and/or audio data having a plurality of content types, the transmitter comprising:

content identification ~~means for~~unit identifying each of the content types of the video data and/or audio data to be transmitted, according to information on an intra-frame frequency component of the video data and an inter-frame degree of change of the video data; and

transmission rate setting ~~means for~~unit setting a transmission rate of the video data and/or audio data to be transmitted, according to the content type.

19. (Original) A method for controlling a transmitter which transmits, to a receiver, video data and/or audio data having a plurality of content types, the method comprising the steps of:

identifying each of the content types of the video data and/or audio data to be transmitted, according to information on an intra-frame frequency component of the video data and an inter-frame degree of change of the video data; and

setting a transmission rate of the video data and/or audio data to be transmitted, according to the content type.

20. (Currently Amended) A transmitter for transmitting, to a receiver, video data and/or audio data having a plurality of content types, the transmitter comprising:

content identification ~~means for~~unit identifying each of the content types of the video data and/or audio data to be transmitted, according to information on an intra-frame frequency component of the video data and an inter-frame degree of change of the video data;

content information addition ~~means for~~unit adding, to the video data and/or audio data to be transmitted, content information indicative of the content type of the video data and/or audio data;

reception ~~means for~~unit receiving, from the receiver, reception data containing information indicative of a transmission rate determined at the receiver; and

transmission rate setting ~~means for~~unit setting the transmission rate of the video data and/or audio data to be transmitted, according to the reception data.

21. (Original) A method for controlling a transmitter which transmits, to a receiver, video data and/or audio data having a plurality of content types, the method comprising the steps of:

identifying each of the content types of the video data and/or audio data to be transmitted, according to information on an intra-frame frequency component of the video data and an inter-frame degree of change of the video data;

adding, to the video data and/or audio data to be transmitted, content information indicative of the content type of the video data and/or audio data;

receiving, from the receiver, reception data containing information indicative of a transmission rate determined at the receiver; and

setting the transmission rate of the video data and/or audio data to be transmitted, according to the reception data.

22. (Canceled)

23. (Currently Amended) A computer-readable ~~storage medium~~ having instructions stored thereon, such that when the instructions are read and executed by a processor, the

processor is configured to control the transmitter, ~~storing the transmitter control program~~  
according to Claim 122.

24. (Withdrawn) A for controlling the receiver according to Claim 11, the causing a computer to serve as each of the means.

25. (Withdrawn) A computer-readable storage medium storing the receiver control program according to Claim 24.

26. (New) A computer-readable medium having instructions stored thereon, such that when the instructions are read and executed by a processor, the processor is configured to control the transmitter according to Claim 18.

27. (New) A computer-readable medium having instructions stored thereon, such that when the instructions are read and executed by a processor, the processor is configured to control the transmitter according to Claim 20.